

EXHIBIT G

From: [Geyman, Matt \(ATG\)](#)
To: [Kristen E. Lange](#)
Cc: [Marti, Miranda \(ATG\)](#); [Cara Wallace](#); [Eron Z. Cannon](#); [EZC-Assistants](#); [James Sanders](#); [Jesse C. Williams](#); [Matt C. Halldorson](#); [Tiffany Lee](#); [Kiefer, Christopher \(ATG\)](#); [Leslie, Zorba \(ATG\)](#); [McDorman, Camille \(ATG\)](#)
Subject: RE: State v. Alderwood Surgical Center LLC et al. - WAWD #2:22-cv-01835
Date: Friday, September 8, 2023 3:55:20 PM

Kristen, we have prepared a Praeclipe but are unable to file it because CM/ECF is currently down. We've contacted the Clerk's Office tech support and they told us they are "aware of some issues." We'll file it as soon as the CM/ECF is up and running.

From: Kristen E. Lange <kristen@favros.com>
Sent: Friday, September 8, 2023 3:49 PM
To: Geyman, Matt (ATG) <matt.geyman@atg.wa.gov>
Cc: Marti, Miranda (ATG) <miranda.marti@atg.wa.gov>; Cara Wallace <cwallace@perkinscoie.com>; Eron Z. Cannon <eron@favros.com>; EZC-Assistants <EZC-Assistants@favros.com>; James Sanders <jsanders@perkinscoie.com>; Jesse C. Williams <jesse@favros.com>; Matt C. Halldorson <matth@favros.com>; Tiffany Lee <tiffanylee@perkinscoie.com>; Kiefer, Christopher (ATG) <christopher.kiefer@atg.wa.gov>; Leslie, Zorba (ATG) <zorba.leslie@atg.wa.gov>; McDorman, Camille (ATG) <camille.mcdorman@atg.wa.gov>
Subject: RE: State v. Alderwood Surgical Center LLC et al. - WAWD #2:22-cv-01835

[EXTERNAL]

Hi Mr. Geyman,

Thank you for your response.

Due to the significant privacy issues, we would ask you to contact the court clerk via email before the close of business today, cc'ing all counsel, to notify them that the exhibit needs to be immediately sequestered from public access.

Thank you for your continued responsiveness to this urgent matter.

Kristen Lange

Kristen Lange, Attorney
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FAIN ANDERSON VANDERHOEF ROSENDAHL O'HALLORAN SPILLANE PLLC

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authorized, and any such action should not be construed as a waiver of privilege or other confidentiality protections.

From: Geyman, Matt (ATG) <matt.geyman@atg.wa.gov>
Sent: Friday, September 8, 2023 1:58 PM
To: Kristen E. Lange <kristen@favros.com>
Cc: Marti, Miranda (ATG) <miranda.marti@atg.wa.gov>; Cara Wallace <cwallace@perkinscoie.com>; Eron Z. Cannon <eron@favros.com>; EZC-Assistants <EZC-Assistants@favros.com>; James Sanders <jsanders@perkinscoie.com>; Jesse C. Williams <jesse@favros.com>; Matt C. Halldorson <matth@favros.com>; Tiffany Lee <tiffanylee@perkinscoie.com>; Kiefer, Christopher (ATG) <christopher.kiefer@atg.wa.gov>; Leslie, Zorba (ATG) <zorba.leslie@atg.wa.gov>; McDorman, Camille (ATG) <camille.mcdorman@atg.wa.gov>
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Kristen, thanks for bringing that to our attention. We'll file a praecipe per LCR 7(m) asking the Court to substitute a corrected exhibit with the proper redactions. We'll also send you a clawback request asking you to return or destroy the copy of the document we previously produced and substitute the corrected copy with those redactions.

From: Kristen E. Lange <kristen@favros.com>
Sent: Friday, September 8, 2023 12:26 PM
To: Geyman, Matt (ATG) <matt.geyman@atg.wa.gov>; Leslie, Zorba (ATG) <zorba.leslie@atg.wa.gov>; McDorman, Camille (ATG) <camille.mcdorman@atg.wa.gov>
Cc: Marti, Miranda (ATG) <miranda.marti@atg.wa.gov>; Cara Wallace <cwallace@perkinscoie.com>; Eron Z. Cannon <eron@favros.com>; EZC-Assistants <EZC-Assistants@favros.com>; James Sanders <jsanders@perkinscoie.com>; Jesse C. Williams <jesse@favros.com>; Matt C. Halldorson <matth@favros.com>; Tiffany Lee <tiffanylee@perkinscoie.com>; Kiefer, Christopher (ATG) <christopher.kiefer@atg.wa.gov>
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[EXTERNAL]

Counsel:

We are in receipt of the State's Motion to Compel and supporting declarations and exhibits. We wanted to immediately notify you of a significant privacy violation created by your filing. One of the declarations, at pdf pages 64 (minor's signature) and 66 (minor name, email, and birthdate), contain a minor's protected health information that must be sealed or redacted. The Western District local rules are unequivocal on this point:

Parties shall refrain from including, or shall partially redact where inclusion is necessary, the following personal data identifiers from all documents filed with the court or used as exhibits in any hearing or at trial, to include state court records filed in removal actions, unless otherwise ordered by the court:

- (1) Dates of Birth - redact to the year of birth, unless deceased
- (2) Names of Minor Children - redact to the initials, unless deceased or currently over the age of 18

LCR 5.2(a).

Alderwood has made it clear from the outset of this investigation that it is concerned about the AGO's request for and use of PHI, particularly PHI of underserved and marginalized populations. Never, however, did we think your office would publicly file the personal information of a minor patient seeking gender affirming care. This action underscores our serious concern for Alderwood's patients' privacy rights, and why we have repeatedly asked for an explanation from the AGO as to why it wants PHI (which includes patient names, 45 CFR §§ 160.103, 164.514) and why redacted information is not sufficient to prove the State's allegations.

Please confirm that your office will take immediate steps to redact or seal the above-referenced information. If the AGO disagrees that redactions or sealing are required, please tell us why. We will notify the Clerk today of this issue if you do not, as well as the Court in our responsive pleading.

Sincerely,

Kristen Lange

Kristen Lange, Attorney
3131 Elliott Avenue, Suite 300
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From: Kiefer, Christopher (ATG) <christopher.kiefer@atg.wa.gov>
Sent: Thursday, September 7, 2023 4:27 PM
To: martinezorders@wawd.uscourts.gov
Cc: Geyman, Matt (ATG) <matt.geyman@atg.wa.gov>; McDorman, Camille (ATG) <camille.mcdorman@atg.wa.gov>; Leslie, Zorba (ATG) <zorba.leslie@atg.wa.gov>; Marti, Miranda (ATG) <miranda.marti@atg.wa.gov>; Cara Wallace <cwallace@perkinscoie.com>; Eron Z. Cannon <eron@favros.com>; EZC-Assistants <EZC-Assistants@favros.com>; James Sanders

<jsanders@perkinscoie.com>; Jesse C. Williams <jesse@favros.com>; Kristen E. Lange <kristen@favros.com>; Matt C. Halldorson <matth@favros.com>; Tiffany Lee <tiffanylee@perkinscoie.com>

Subject: State v. Alderwood Surgical Center LLC et al. - WAWD #2:22-cv-01835

Good afternoon—

Please find attached a Proposed Order on the State's Motion to Compel, filed today.

Sincerely,

Chris Kiefer (he/him)

Paralegal | Consumer Protection Division
Washington State Office of the Attorney General
christopher.kiefer@atg.wa.gov